

November 4, 2003

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**Request for Term Extensions for Four (4) Cable Television Franchises in the Unincorporated Areas of Hacienda Heights, La Habra Heights, Marina del Rey and South Whittier, Granted to Century-TCI California L.P, a Delaware limited partnership**

**(1<sup>st</sup>, 4<sup>th</sup>, and 5<sup>th</sup> Districts) (3 VOTES)**

**IT IS RECOMMENDED THAT YOUR BOARD**

1. Approve amendments to extend the terms of cable television franchises through December 31, 2005 in the unincorporated areas of Hacienda Heights granted by Ordinance No. 82-0117F, as amended, La Habra Heights, granted by Ordinance No. 86-0113F, as amended, Marina del Rey, granted by Ordinance No. 83-0205F, as amended, South Whittier, granted Ordinance No. 83-0087F, as amended.
2. Introduce, waive reading and place on your Board's Agenda for adoption the attached ordinances that implement the above recommendation.
3. Find these franchise extensions are categorically exempt under the California Environmental Quality Act (CEQA) pursuant to Class 1, Section (e), of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, and Section 15301(b) of the State CEQA Guidelines.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Adelphia Communications Corporation and its subsidiary Century-TCI California L.P. have cable television franchises with the County that expire on December 31, 2003. Extensions of the current franchise terms through December 31, 2005 allows the County sufficient time to amend Title 16, Division 4 of the County Code (Cable Television System Franchises) and negotiate the renewals of these franchises.

#### **Implementation of Strategic Plan Goals**

Approval of this recommendation will assist in implementing the Countywide Strategic Plan goal of fiscal responsibility. This will ensure the continuation of revenue provided to the County by statute.

### **FISCAL IMPACT/FINANCING**

The ordinances pertaining to the Hacienda Heights and South Whittier franchise areas provide that Franchisee will provide the County public, educational, and governmental (PEG) access grants in the amount of \$79,200.00 for the South Whittier franchise and \$195,600.00 for the Hacienda Heights franchise by March 1, 2004, which is the equivalent of \$0.50 per subscriber per month for the term of the extension period.

There will be no cost to the County. These cable television franchises generate revenue to the County. Section 622 (b) of the Cable Act of 1984 (47 U.S.C. §542 (b)) gives a local franchising authority, such as the County, the right to collect franchise fees of no more than five percent (5%) of total gross revenues collected by a cable television operator over a 12-month period. The extensions of these cable television franchises will allow continued collection of these franchise fees.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The Office of the County Counsel has reviewed the attached ordinances and approved them as to form.

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### **ENVIRONMENTAL DOCUMENTATION**

The term extension of these cable television franchises is categorically exempt under CEQA pursuant to Class 1, Section (e) of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, and Section 15301(b) of the State CEQA Guidelines.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

There will be no impact on current services.

### **CONCLUSION**

It is requested that the Executive Office-Clerk of the Board notify Mr. Thomas E. Carlock, Regional Vice President of Law and Public Policy, Adelphia Communications Corporation, 6320 Canoga Avenue, Suite 1300, Woodland Hills, CA 91367, County Counsel, the Auditor-Controller, the Department of Public Works, and the Department of Consumer Affairs of the Board's action in these matters.

Respectfully submitted,

Pastor Herrera, Jr.  
Director

PHJ:FT:EL

Attachments (4)

c: Thomas E. Carlock, Adelphia Communications  
Chief Administrative Officer  
Executive Officer, Board of Supervisors  
Auditor-Controller  
County Counsel  
Department of Public Works